

Rhode Island Department of Education
Office for Diverse Learners
SPECIAL EDUCATION COMPLAINT PROCEDURES

1. An organization or individual may file a written complaint under the procedures in R.I. Special Education Regulations: Section 300.153. Please note that an alleged **violation of special education regulations is required** in order to file a complaint.
2. Upon receipt of a Special Education Complaint Form in the Rhode Island Department of Education (RIDE), Office for Diverse Learners (ODL), the complaint will be date stamped and logged.
3. A letter will be sent to the Superintendent of the district in which the child is enrolled requesting a district response to the complaint within ten (10) business days, with a copy of the complaint to the special education director, parent, or attorney representing either party.
4. Upon receipt of the district's response to the complaint, RIDE may need to conduct an on-site visit(s) or interview(s) in the investigation of the complaint.
5. The complainant may submit additional information, either verbally or in writing concerning the allegations in the complaint.
6. RIDE will review all relevant information and make a determination as to whether the school department is in compliance with Special Education Regulations.
7. RIDE will issue a written final decision (Findings Letter) to the parent, superintendent and director of special education of the school district that addresses each allegation in the complaint. The Findings Letter contains:
 - a) The Complaint
 - b) Investigation
 - c) Documents Reviewed
 - d) Interviews Conducted
 - e) The Findings of Fact
 - f) Conclusion
 - g) Reason for RIDE's decision
 - h) Order (if applicable)

Note: The Findings Letter will be translated into the home language as needed.

8. RIDE will render a final decision within 60 days after the receipt of the complaint. An extension in time beyond the 60 days is permitted **only** if exceptional circumstances exist with respect to a particular complaint.
9. Confidentiality statutes preclude RIDE from providing personally identifiable information to a non-parent complainant such as an administrator, educational advocate, teacher, or attorney, without parent consent.
10. If a written complaint is also the subject of a due process hearing, RIDE must set aside any part of the complaint that is being addressed in the due process hearing until the conclusion of the hearing. If an issue raised in a complaint filed under this section has previously been involved in a due process hearing involving the same parties, the hearing decision is binding on that issue.